

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION**

STATE OF TEXAS,

*Plaintiff,*

v.

U.S. DEPARTMENT OF HEALTH &  
HUMAN SERVICES, et al.,

*Defendants.*

No. 5:24-cv-204-H

**JOINT MOTION TO ENTER BRIEFING SCHEDULE AND HOLD DEFENDANTS'  
DEADLINE TO RESPOND TO COMPLAINT IN ABEYANCE**

The parties respectfully move to enter a briefing schedule for dispositive cross-motions and to hold Defendants' deadline to respond to the Complaint in this matter in abeyance.

Because this case involves judicial review of administrative agency action pursuant to the Administrative Procedure Act, the parties believe that dispositive cross-motions provide the most efficient method for resolving this case.

Specifically, the parties respectfully request that the Court enter the following schedule.

- Defendants will produce the administrative records for the two final rules at issue in this matter on or before **November 22, 2024**.
- The parties' dispositive motions will be due on or before **January 17, 2025**.
- The parties' respective opposition briefs will be due **February 14, 2025**.
- The parties' reply briefs in support of their dispositive motions will be due **March 14, 2025**.

For these reasons, the parties request that the Court enter the proposed briefing schedule and hold Defendants' deadline to respond to the Complaint in abeyance.

Dated: November 15, 2024

Respectfully submitted,

**KEN PAXTON**

Attorney General of Texas

**BRIAN M. BOYNTON**

Principal Deputy Assistant Attorney  
General

**BRENT WEBSTER**

First Assistant Attorney General

**ERIC B. BECKENHAUER**

Assistant Branch Director

**RALPH MOLINA**

Deputy First Assistant Attorney General

/s/ John T. Lewis

JOHN T. LEWIS (TX Bar No. 24095074)

Trial Attorney

**JAMES LLOYD**

Deputy Attorney General for Civil Litigation

U.S. Department of Justice

Civil Division, Federal Programs Branch

1100 L Street NW

Washington, D.C. 20530

Tel: (202) 353-0533

Fax: (202) 616-8460

E-mail: [john.t.lewis.iii@usdoj.gov](mailto:john.t.lewis.iii@usdoj.gov)

/s/ Amy Snow Hilton

**AMY SNOW HILTON**

Chief, Healthcare Program Enforcement Division

Texas Bar No. 24097834

[Amy.Hilton@oag.texas.gov](mailto:Amy.Hilton@oag.texas.gov)

Office of the Attorney General of Texas

P.O. Box 12548, Capitol Station

Austin, Texas 78711-2548

Phone: (512) 936-1709

Fax: (512) 499-0712

*Attorneys for Defendants*

**Counsel for State of Texas**